

2013R01094/JHY/BAW/JA/gr

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

<b>UNITED STATES OF AMERICA</b>	:	<b>Hon. Esther Salas</b>
<b>v.</b>	:	<b>Crim. No. 15-95 (ES)</b>
<b>ALBERT ADES,</b>	:	<b>CONSENT JUDGMENT AND</b>
<b>Defendant.</b>	:	<b>ORDER OF FORFEITURE</b>
	:	<b>(MONEY JUDGMENT)</b>

**WHEREAS, on or about August 10, 2015, defendant Albert Ades pleaded guilty pursuant to a plea agreement with the United States to a one count Indictment (the "Indictment"), which charged him with health care fraud, in violation of 18 U.S.C. § 1347;**

**WHEREAS, pursuant to 18 U.S.C. § 982(a)(7), a person convicted of a Federal health care offense as defined in 18 U.S.C. § 24, including a violation of 18 U.S.C. § 1347, as alleged in the Indictment, shall forfeit to the United States all property, real and personal, that constitutes or is derived from gross proceeds traceable to the commission of such offense;**

**WHEREAS, the property subject to forfeiture by defendant Albert Ades includes a sum of money equal to \$280,000.00, representing the proceeds of the Federal health care offense charged in the Indictment, to which defendant Albert Ades has pleaded guilty;**

**WHEREAS, in the plea agreement, the defendant consented to the imposition of a criminal forfeiture money judgment in the amount of \$280,000.00;**

**WHEREAS, Rule 32.2(c)(1) of the Federal Rules of Criminal Procedure provides that no ancillary proceeding is required to the extent that the forfeiture consists of a money judgment;**

**WHEREAS, Rule 32.2(b)(4)(A) of the Federal Rules of Criminal Procedure provides that a preliminary order of forfeiture, including a preliminary order of forfeiture consisting of a money judgment, may become final at any time before sentencing if the defendant consents;**

**WHEREAS, defendant Albert Ades:**

**(1) Consents to the forfeiture to the United States of \$280,000.00 as a sum of money representing the proceeds of the offense charged in the Indictment, to which the defendant has pleaded guilty (the "Money Judgment");**

**(2) Consents to the imposition of a money judgment in the amount of \$280,000.00 pursuant to 18 U.S.C. § 982(a)(7), and agrees that this Order is final at the time of its entry by the Court, pursuant to Rule 32.2(b)(4)(A) of the Federal Rules of Criminal Procedure;**

**(3) Agrees to consent promptly upon request to the entry of any orders deemed necessary by the government or the Court to complete the forfeiture and disposition of property forfeited to satisfy the Money Judgment;**

**(4) Waives the requirements of Federal Rules of Criminal Procedure 32.2 and 43(a) regarding notice of forfeiture in the charging instrument, announcement of the forfeiture in the defendant's presence at sentencing, and incorporation of the forfeiture in the Judgment of Conviction;**

**(5) Acknowledges that he understands that forfeiture of property will be part of the sentence imposed upon him in this case and waives any failure**

by the Court to advise him of this, pursuant to Federal Rule of Criminal Procedure 11(b)(1)(J), during the plea hearing;

(6) Waives any claims that the forfeiture constitutes an excessive fine and agrees that the forfeiture does not violate the Eighth Amendment.

WHEREAS, good and sufficient cause has been shown,

It is hereby ORDERED, ADJUDGED, AND DECREED:

THAT, as a result of the offense charged in the Indictment, to which the defendant Albert Ades has pleaded guilty, the defendant shall forfeit to the United States the sum of \$280,000.00. A money judgment in the amount of \$280,000.00 (the "Money Judgment") is hereby entered against the defendant pursuant to 18 U.S.C. § 982(a)(7) and Federal Rule of Criminal Procedure 32.2(b).

IT IS FURTHER ORDERED that, the defendant having given his consent pursuant to Federal Rule of Criminal Procedure Rule 32.2(b)(4)(A), upon entry of this Consent Judgment and Order of Forfeiture, this Order is final as to the defendant Albert Ades, shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

IT IS FURTHER ORDERED that all payments on the Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, District of New Jersey, Attn: Asset Forfeiture and Money Laundering Unit, 970 Broad Street, 7th Floor, Newark, New Jersey 07102, and shall indicate the defendant's name and case number on the face of the check.

IT IS FURTHER ORDERED that, pursuant to 21 U.S.C. § 853, as incorporated by 18 U.S.C. § 982(b)(1), the United States Marshals Service is authorized to deposit all payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

IT IS FURTHER ORDERED that, pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate, or dispose of property to satisfy the Money Judgment, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

IT IS FURTHER ORDERED that this Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

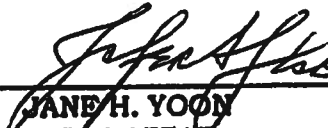
IT IS FURTHER ORDERED that the Clerk of the Court is directed to enter a money judgment against the defendant in favor of the United States in the amount of \$280,000.00.

ORDERED this 25<sup>th</sup> day of February, 2016.


  
HONORABLE ESTHER SALAS  
United States District Judge

The undersigned hereby consent to  
the entry and form of this order:

PAUL J. FISHMAN  
United States Attorney

  
By: JANE H. YOON  
JAFER AFTAB  
Assistant United States Attorneys

Dated: 22 February 2016

  
MARC AGNIFLO, ESQ.  
ALEXANDER SPIRO, ESQ.  
Attorneys for Defendant Albert Ades

Dated: 2-12-16

  
ALBERT ADES, Defendant

Dated: 2/12/2016